

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

AMERICAN FAMILY LIFE  
INSURANCE COMPANY,

Plaintiff,

VS.

KAREN ANN AIRAGHI, *et al.*,

Defendants.

Case No. 4:24-cv-00763-MTS

## MEMORANDUM AND ORDER

This matter is before the Court on Defendant Karen Ann Airaghi’s Application for Appointment of Next Friend, Doc. [15], where she requests that the Court appoint her as the Next Friend of A.S.A and A.L.A, who are both minor children. The Application indicates that both A.S.A and A.L.A are over the age of fourteen. Doc. [15] ¶ 1. Missouri Revised Statute § 507.130\* requires that the appointment for a next friend must be made by the infant if the infant is at least fourteen years of age. *Compare* Mo. Rev. Stat. § 507.130 (setting procedure for how a next friend is appointed if the infant is “of the age of fourteen years”), *with id.* § 507.140 (setting procedure when the infant is “under the age of fourteen years”). Defendant Karen Ann Airaghi included no such request from A.S.A or A.L.A despite their ages. Nor did Defendant Airaghi supply “written consent . . . proved to the court” to be from herself. *See id.* § 507.130. Absent

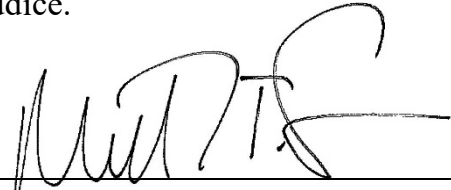
\* See Fed. R. Civ. P. 17(b)(3) (providing that one's capacity to sue or be sued is determined by the law of the state where the court is located).

these things, or an explanation to the Court why they are not necessary in this matter, the Court will deny the Application—but do so without prejudice.

Accordingly,

**IT IS HEREBY ORDERED** that the Application for Appointment of Next Friend, Doc. [15], is **DENIED** without prejudice.

Dated this 11th day of July 2024.



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MATTHEW T. SCHELP  
UNITED STATES DISTRICT JUDGE